

MEMO ENDORSED

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April 28, 2021

BY ECF

The Honorable Valerie E. Caproni
United States District Judge
U.S. District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Velez, 19 Cr. 862 (Deeshuntee Stevens)*

Dear Judge Caproni:

I write on behalf of my client, Deeshuntee Stevens, to respectfully request permission for Mr. Stevens to travel from Rochester, NY, to New York City, on April 30, to attend the funeral of his cousin. Mr. Stevens lived with his cousin for several years when they were children, and they have maintained a close relationship. If granted permission, Mr. Stevens would travel by bus to and from New York City, leaving Rochester in the early morning hours of April 30, and returning in the evening of May 1.

The funeral service will take place in the late afternoon and evening of April 30 at R.G. Ortiz Funeral Home in the Bronx. Mr. Stevens understands that the funeral home has implemented measures to comply with current COVID-19 guidance, including requiring all attendees to wear masks and limiting attendance to

10 to 15 individuals at a time; the area's maximum occupancy is 75 individuals.¹ The burial will take place outdoors in the morning of May 1 at St. Raymond's Cemetery in the Bronx. Mr. Stevens understand that the cemetery has also implemented measures to comply with current COVID-19 guidance, including requiring all attendees to wear masks and limiting attendance at the gravesite to five individuals at a time. In addition, on February 3, 2021, Mr. Stevens received his second dose of the Pfizer-BioNTech COVID-19 vaccine, so he is fully vaccinated.

If permitted to travel, Mr. Stevens would spend the night of April 30 at a motor inn in the East Bronx or with his aunt Marvene Sullivan, who resides in the Bronx. Ms. Sullivan lives alone and is fully vaccinated against COVID-19. Thus, Mr. Stevens' travel plans would be consistent with current CDC guidance, which permits fully vaccinated people to “[r]esume domestic travel” and to “[v]isit with other fully vaccinated people indoors without wearing masks or physical distancing[.]”² Mr. Stevens would return to Rochester on May 1, at the conclusion of the burial service.

The United States Attorney's Office and the office of Pretrial Services take no position with respect to this request.

As the Court is aware, on October 7, 2020, your Honor granted Mr. Stevens' request to travel to New York City on the occasion of his daughter's thirteenth birthday, with the consent of the government. Mr. Stevens' trip was without incident. Since November 2020, Mr. Stevens has maintained employment in Rochester, and he has adapted well to supervision. Mr. Stevens also sought permission to travel to New York City on three other occasions—to spend Thanksgiving, Christmas, and Easter with his daughters. The government opposed those requests, and your Honor denied the requests to travel for Thanksgiving and Christmas in part due to the risk of COVID-19 at that time, noting concerns about mixing individuals from more than one household and the round trip between Rochester and New York City. Your Honor granted Mr. Stevens' third request, to

¹ See New York State, *Interim Guidance for Religious & Funeral Services During the COVID-19 Public Health Emergency*, <https://www.governor.ny.gov/sites/default/files/atoms/files/ReligiousandFuneralServicesMasterGuidance.pdf> (Apr. 6, 2021) (“[F]or any religious or funeral service, the congregant/attendee capacity is limited to no more than 50% of the maximum occupancy for a particular area as set by the certification of occupancy for services occurring indoors.”).

² Centers for Disease Control and Prevention, *Interim Public Health Recommendations for Fully Vaccinated People*, <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html> (last updated Apr. 27, 2021).

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travel to New York City to spend Easter with his children, on March 26, 2021. Mr. Stevens' trip was without incident.

As the Court is also aware, on August 21, 2020, your Honor ordered Mr. Stevens released on bail, with the consent of the government, on conditions including: (1) a \$100,000 personal recognizance bond, signed by Mr. Stevens and co-signed by three financially responsible persons; (2) home detention with electronic monitoring, except to attend work, to seek employment (with agreement of the office of Pretrial Services as to the specifics), and for medical visits and legal visits, at the Rochester, New York home of Jesseivett Orta, a close family friend serving as third-party custodian; and (3) travel restricted to the state of New York. Mr. Stevens is charged in the above-referenced matter with conspiracy to distribute heroin, fentanyl and other narcotics, in violation of 21 U.S.C. §§ 841(a)(1), 846, and possession of a firearm during and in relation to a drug trafficking offense, in violation of 18 U.S.C. §§ 924(c), 2.

Respectfully submitted,

s/ Jocelyn E. Strauber

cc: Assistant U.S. Attorney Adam S. Hobson
Assistant U.S. Attorney Elinor L. Tarlow
U.S. Pretrial Services Officer Jonathan Lettieri
U.S. Pretrial Services Officer Jeremy Bedette

Application GRANTED. Mr. Stevens must provide pretrial services with contact information for the hotel or Ms. Sullivan, once he confirms where he will be staying the night.

SO ORDERED.



Date: April 28, 2021

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE